

MORTON & CRAIG LLC
John R. Morton, Jr., Esq.
110 Marter Ave.
Suite 301
Moorestown, NJ 08057
Telephone: 856-866-0100
Attorney for: Wells Fargo Bank, N.A., d/b/a Wells Fargo Auto

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

In re:)	Case No. 19-19208(MBK)
)	
ANTHONY IORIO)	Chapter 13
)	
)	Hearing Date: 10-9-19
)	
)	<u>OBJECTION TO CONFIRMATION</u>

Wells Fargo Bank, N.A., d/b/a Wells Fargo Auto ("Wells Fargo"), a secured creditor of the debtor, objects to the confirmation of the debtor's plan for the following reasons:

- a. **910 CLAIM; PLAN DOES NOT DESIGNATE HOW MUCH WELLS FARGO WILL BE PAID:** WELLS FARGO has a first purchase money security interest encumbering 2012 MINI COOPER purchased by the debtor and non-filing co-debtor, Kelli Foster on 4-19-17, less than 910 days prior to filing. The plan does not state how much Wells Fargo is to be paid through the plan, and instead when defining the amount state "unknown". The plan must be amended to pay net loan

1 balance at filing of \$16,715.72 with interest at 12.25%.

2 The trustee should compute interest. If interest was

3 pre-computed, the trustee would pay WELLS FARGO

4 \$22,436.83 over 60 months.

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6 **b. Adequate protection:** The plan violates code sections
7 361, 1325 and 1326. It fails to pay adequate protection
8 payments to WELLS FARGO. Adequate protection payments
9 must be given super priority administrative expense
10 status and paid ahead of attorney fees. WELLS FARGO
11 requests adequate protection payments of \$336 per month,
12 being 1.5% of the grossed up amount to be paid starting
13 in June of 2019.
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16 **c. Proof of insurance:** The vehicle must be insured with
17 comprehensive and collision insurance coverage and
18 liability coverage in accordance with the requirements
19 contained in the contract. WELLS FARGO must be listed as
20 loss payee or additional insured. **The debtor must provide**
21 **WELLS FARGO with proof that the vehicle is insured in**
22 **accordance with §1326(a)(4) and this portion of the**
23 **objection to confirmation should be considered a demand**
24 **that the debtor provide proof of insurance.**
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27 **d. Order of payments:** The order of payments must be changed
28 to reflect the priority of adequate protection payments.
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e. WELLS FARGO must retain its lien on the vehicle after confirmation, until it is paid in full through the plan, the debtor completes the plan and receives a discharge.

/s/ John R. Morton, Jr.____
John R. Morton, Jr., attorney for
WELLS FARGO

Dated: 8-30-19